

AN ORDINANCE approving the awarding of Reference #5053 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and DEHNER CONSTRUCTION, INC. for the Water Engineering Department.

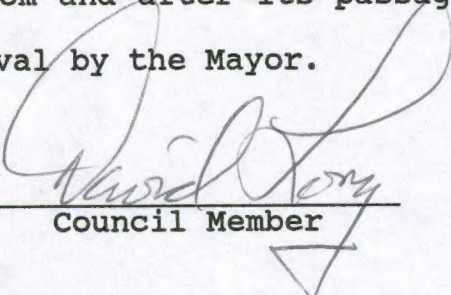
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #5053 between the City of Fort Wayne, by and through its Department of Purchasing and DEHNER CONSTRUCTION, INC. (single source vendor) for the Water Engineering Department, respectfully for:

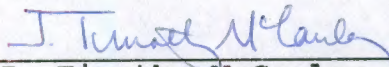
the installation of 260± LF of 24" x 1/4" steel casing pipe under proposed I-469 at Young Road by open cut method for the Water Engineering Department;

involving a total cost of Twenty-One Thousand Five Hundred Eighty and no/100 Dollars (\$21,580.00), all as more particularly set forth in said Reference #5053, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REFERENCE NO.:	5053
DEPARTMENT:	WATER ENGINEERING
DATE:	11/24/92
ITEM/SERVICE:	INSTALLATION OF PIPE ON YOUNG ROAD
ADVERTISED BID:	YES
DATES ADVERTISED:	10/26/92 & 11/02/92
DATE OPENED:	11/05/92
WRITTEN QUOTE:	
DATE DUE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	7
NO. OF VENDORS RECEIVING BID:	2
NO. OF VENDORS RETURNING BID:	1
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	6
DATE SENT TO DEPT FOR RECOMM:	11/16/92
DATE RECOMM RECEIVED BACK:	11/18/92
DATE SENT TO LAW DEPARTMENT:	11/18/92
INTRODUCTION DATE:	11/24/92
DISCUSSION DATE:	12/01/92
PASSAGE DATE:	12/08/92

I.T.B. #5053
YOUNG ROAD WATER CONTRACT
WATER ENGINEERING
11/16/92

ITEM/DESCRIPTION	QTY	DEHNER	CONSTR
STEEL CASING PIPE	260	\$83.00	\$21,580.00

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11/5/92 BID REFERENCE # 5053

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR ALL LABOR, EQUIPMENT, TOOLS, POWER, TRANSPORTATION, ETC., NECESSARY TO INSTALL 260+/- L.F. OF 1/4"X24" STEEL CASING PIPE PER ATTACHED PLANS & SPECIFICATIONS

AND REQUESTED BY WATER ENGINEERING

THIS BID REQUIRES A XX 5% BID BOND OR CERTIFIED CHECK OF ALL BIDDERS.

THIS BID REQUIRES A XX 100% PERFORMANCE PAYMENT BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____ %
IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME DEHNER CONSTRUCTION, INC.

STREET ADDRESS 5406 WINCHESTER ROAD

CITY FORT WAYNE PHONE # (219) 747-5679

BY 
REPRESENTATIVE SIGNATURE
Gregory Dehner - President

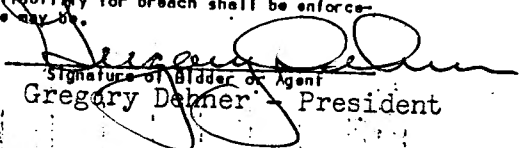
BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: November 12, 1992
 1. Governmental Unit: City of Fort Wayne, Indiana
 2. County: Allen
 3. Bidder (Firm): Dehner Construction, Inc.
 Address: 5406 Winchester Road
 City/State: Fort Wayne, Indiana 46819
 4. Telephone Number: (219) 747-5679
 5. Agent of Bidder (if applicable): N/A

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne, Indiana in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.


 Signature of Bidder or Agent
 Gregory Dehner - President

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

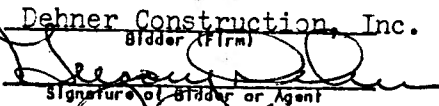
NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen County)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Dehner Construction, Inc.
 Bidder (Firm)


 Signature of Bidder or Agent

Subscribed and sworn to before me this 12th day of November, 1992.

My Commission Expires: January 13, 1996

County of Residence: Allen County


 Notary Public

Roger N. Carpenter
 Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: _____

BID OF

DEHNER CONSTRUCTION, INC.

(Contractor)

5406 WINCHESTER ROAD

(Address)

FORT WAYNE, INDIANA 46819

FOR SALE OR
LEASE OF MATERIALS

(Defined as I.C. 36-1-2-9.5)

FILED November 12, 19 92

THIS BID ACCEPTED FOR THE
FOLLOWING CLASSES OR ITEMS

this day of 19

I.O. No.

Date

IF NO PART OF BID IS ACCEPTED, WRITE
THE WORD "REJECTED" ACROSS PAGE

BID
YOUNG ROAD - S.R. 469
WATER CONTRACT 9218
CITY OF FORT WAYNE, INDIANA
IMPROVEMENT TO FORT WAYNE WATER UTILITY

#	QUANTITY	DESCRIPTION	UNIT PR.	EXT.
1	260± L.F.	24" x 1/4" Steel Casing Pipe	83.00	21,580.00
TOTAL BID			\$ 21,580.00	

ALL WORK SHALL BE COMPLETED WITHIN 30 DAYS AFTER ISSUANCE OF THE NOTICE TO PROCEED. THOSE DAYS WHICH THE CONTRACTOR CANNOT WORK BECAUSE OF SEVERELY INCLEMENT WEATHER, SHALL NOT BE COUNTED.

NOTE: THE USE OF CORRECTION FLUID IN THE AREA OF UNIT PRICE, EXTENSION, OR TOTAL ON THIS BID WILL BE CAUSE FOR REJECTION.

In submitting this bid, it is understood that the right is reserved by the OWNER to reject any and all bids and to waive any defect in any bid.

IN WITNESS WHEREOF, the bidder (a firm), by its owner(s) named below, hereunto set hand and seal this ____ day of _____, 1992.

NAME OF FIRM: _____

ADDRESS: _____

TELEPHONE _____

BY: _____, Owner
SIGNATORY PRINTED NAME OF SIGNATORY

IN TESTIMONY WHEREOF, the bidder (a corporation) has caused this proposal to be signed by its President and Secretary, and, affixed its corporate seal this 12th day of November, 1992.

NAME OF FIRM: DEHNER CONSTRUCTION, INC.

ADDRESS: 5406 Winchester Road

Fort Wayne, Indiana 46819

TELEPHONE (219) 747-5679

BY: Gregory Dehner, President
SIGNATORY PRINTED NAME OF SIGNATORY

ATTEST: Thomas H. Sadler
Thomas H. Sadler - Secretary

NOTE 1: Use this form, if Certified Check accompanies bid.

Enclosed herewith, find Certified Check in the amount of \$ _____, being
5% of the maximum bid herein, made payable to:

THE CITY OF FORT WAYNE, INDIANA

the proceeds of which are to remain the absolute property of said City, if
_____ (bidder) shall not within **10** days after Notice of Acceptance
of the within bid enter into a written contract and secure said contract by a
Performance Bond for the full amount of the contract to the approval of the proper
officials of said City.

NOTE 2: Use this form if Bidder's Bond accompanies bids.

Enclosed herewith, find a Bidder's Bond in an amount equal to five percent (5%) of
maximum bid herein, subject to the approval of the Purchasing Department,
conditioned as follows:

That if the Purchasing Department shall award the contract for said work, and if
Dehner Construction, Inc. (bidder) shall enter into a contract and furnish a 100%
Performance Bond, as required, within ten days (10) from the date, he/she/it is
notified of the acceptance of his/her/its bid, then the obligation of said bond shall
be null and void; otherwise, to remain in full force and effect.

CONTRACTORS BID FOR PUBLIC WORKS PART I

(To be completed for all bids)
(Please type or print)

Date: November 12, 1992

1. Governmental Unit: City of Fort Wayne, Indiana
 2. County: Allen
 3. Bidder (Firm): Dehner Construction, Inc.
 Address: 5406 Winchester Road
 City/State: Fort Wayne, Indiana 46819
 4. Telephone Number: (219) 747-5679
 5. Agent or Bidder (if applicable): N/A

Pursuant to notices given, the undersigned offers to furnish labor and/or material necessary to complete the public works project of City of Fort Wayne, In. (Governmental Unit) in accordance with plans and specifications of said unit for the sum of \$ 21,580.00. The undersigned further agrees to furnish a bond or certified check with this bid for an amount specified in the notice of the letting. If alternative bids apply, submit a proposal for each in accordance with the notice.

* Twenty One Thousand, Five Hundred Eighty Dollars and No Cents

If additional units of material included in the contract are needed, the cost of units must be the same as that shown in the original contract. If the bid is to be awarded on a unit basis, the itemization of units shall be shown on a separate attachment. The Contractor and his subcontractors, if any, shall not discriminate against or intimidate any employee, or applicant for employment to be employed in the performance of this contract, with respect to any matter directly or indirectly related to employment because of race, religion, color, sex, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the contract.

CERTIFICATION OF USE OF UNITED STATES STEEL PRODUCTS (If applicable)

I, the undersigned bidder or agent as a contractor on a public works project, understand my statutory obligation to use steel products made in the United States. I.C. 5-16-8-2, I hereby certify that I and all subcontractors employed by me for this project will use U.S. steel products on this project if awarded. I understand that violations hereunder may result in forfeiture of contractual payments.

NON-COLLUSION AFFIDAVIT

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firm, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

OATH AND AFFIRMATION

I affirm under the penalties of perjury that the foregoing facts and information are true and correct to the best of my knowledge and belief.
Dated at Fort Wayne, In this 12th day of November, 1992.

Dehner Construction, Inc.
(name of organization)
By: Gregory Dehner - President
(title of person signing)

ACKNOWLEDGEMENT

STATE OF INDIANA
COUNTY OF ALLEN

Gregory Dehner, being duly sworn, deposes and says that he is President of the above Corporation and that the statements contained in the foregoing bid, certification and affidavit are true and correct.

Subscribed and sworn to before me this 12th day of November, 1992.

My commission expires: January 13, 1996

Roger N. Carpenter
Notary Public
County of Residence: Allen

ACCEPTANCE

The above bid is accepted this _____ day of _____, 1992, subject to the following conditions:

Contracting Authority Members:

PART II

(Complete sections I, II, III and IV for all state and local public works projects as required by statutes.)

Governmental Unit: City of Fort Wayne, Indiana
 Bidder Firm: Dehner Construction, Inc.
 Date: November 12, 1992

These statements to be submitted under oath by each bidder with and as a part of his bid. Attach additional pages for each section as needed.

SECTION I EXPERIENCE QUESTIONNAIRE

1. What public works projects has your organization completed?

Contract Amount	Class of Work	When Completed	Name and address of Owner
139,969.00	Waterline	1992	City of Ft. Wayne, In.
240,463.70	Concrete	1992	City of Ft. Wayne, In.
26,226.00	Sewer	1992	City of Columbia City, In.
32,485.50	Sewer	1992	Town of Markle, Indiana

2. What public works projects has your organization now in process of construction?

Contract Amount	Class of Work	When Completed	Name and address of Owner
74,468.53	Concrete	Nov. 1992	City of Ft. Wayne, In.
18,267.25	Concrete	Nov. 1992	City of Ft. Wayne, In.
20,000.00	Sewer	Dec. 1992	Allen County, Indiana

3. Have you ever failed to complete any work awarded to you?
- NO
- If so, where and why?

4. List references from private firms for which you have performed work.

Dana Corporation, Ft. Wayne, In. - Centennial Development Corp.
Press Seal Gasket Corp. - Ft. Wayne Community Schools.

SECTION II PLAN AND EQUIPMENT QUESTIONNAIRE

- Explain your plan or layout for performing proposed work.
- If you intend to sublet any portion of the work, state the name and address of each subcontractor, equipment to be used by the subcontractor, and whether you expect to require a bond.
- What equipment do you intend to use for the proposed project?
- Have you made contracts or received offers for all materials within prices used in preparing your proposal?

SECTION III CONTRACTOR'S FINANCIAL STATEMENT

Attachment of bidder's financial statement is mandatory. Any bid submitted without said financial statement as required by statute shall thereby be rendered invalid. The financial statement provided hereunder to the governing body awarding the contract must be specific enough in detail to that said governing body can make a proper determination of the bidder's capability for completing the project if awarded.

SECTION IV OATH AND AFFIRMATION

I hereby affirm under the penalties of perjury that the facts and information contained in the foregoing bid for public works are true and correct to the best of my knowledge and belief.

Dated at Ft. Wayne, In this 12th day of November, 1992.

DEHNER CONSTRUCTION, INC.

(name of organization)

By:

Gregory Dehner - President

(title of person signing)

ACKNOWLEDGEMENT

STATE OF INDIANA)
) SS
 COUNTY OF ALLEN)

Gregory Dehner being duly sworn, deposes and says that he is President
 of the above Corporation and that the answers to the questions in the foregoing questionnaires and all statements therein contained are true and correct.

Subscribed and sworn to before me this 12th day of November, 1992.

Roger N. Carpenter
 Notary Public

Roger N. Carpenter

printed name of notary public

My commission expires: January 13, 1996
 County of residence: Allen

CURRENT CONTRACTUAL OBLIGATIONS

Entries on this sheet are to cover all construction work under contract or verbal performance agreement or pending award to the contractor signing, whether as principal or as sub-contractor and with any owner including the United States Government (see Qualification Regulations).

WORK NOW UNDER CONTRACT

Contract number	Contract Entered into with	Value of Work Unearned	Type of Work Yet to Perform	Est. Date Completion
6231-91	City of Fort Wayne, In.	74,468.53	Concrete	Nov. 1992
6280-92	City of Fort Wayne, In.	18267.25	Concrete	Nov. 1992
	Primco, Inc. Allen County	20,000.00	Sewer	Dec. 1992

Total under Contract and Unearned: \$ 112,735.78

SUBLET TO APPROVED QUALIFIED SUB-CONTRACTORS (COMMISSION CONTRACTS ONLY)

Contract number	Subcontractor	Value of Work Unearned	Type of Work Yet to Perform	Est. Date Completion

Total Sublet and Unearned: \$

LOW BIDS SUBMITTED, OPENED, AND NOT APPROVED

Contract number	Bids received by:	Amount of bids	Type of Work And other comments	Est. Date Completion

Total of Bids Pending Award:

(This Item Does Not Effect Bidding Capacity)

hereby certify that, to the best of my knowledge and belief, the above tabulations are true and complete and that my/our latest financial statement on file with the Commission continues to represent fairly and substantially my/our financial position as of this date.

DEHNER CONSTRUCTION, INC. (BIDDER)

(SUB-CONTRACTOR)

11/12/92

Date

By

Signature


President

Title

I, Gregory Dehner, the _____
name

President, of DEHNER CONSTRUCTION, INC.
position company

1. the Financial Statement of said Company, dated the 25th day of March, 1992, now on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana, made a part hereof, is a true and correct statement, and, accurately reflects the financial condition of said Company, as of the date hereof; and,
2. I am familiar with the books of said Company, showing its financial condition and am authorized to make this certificate on its behalf.


signatory

SUBSCRIBED AND SWORN to before me, a Notary Public, in and for said County and State,
this 12th day of November, 1992.

Logan N. Carpenter
NOTARY PUBLIC

A RESIDENT OF ALLEN COUNTY.
MY COMMISSION EXPIRES January 13, 1996



FIDELITY AND GUARANTY INSURANCE COMPANY

BID BOND

BOND NUMBER.....

KNOW ALL MEN BY THESE PRESENTS:

THAT DEHNER CONSTRUCTION, INC.

.....of Fort Wayne, Indiana.....
....., as Principal, and FIDELITY AND GUARANTY

INSURANCE COMPANY, an Iowa corporation, as Surety, are held and firmly bound unto.....

Purchasing Department; City of Fort Wayne, Indiana.....

as Obligee, in the full and just sum of.....

Five Per Cent (5%) of Maximum Bid-----Dollars,

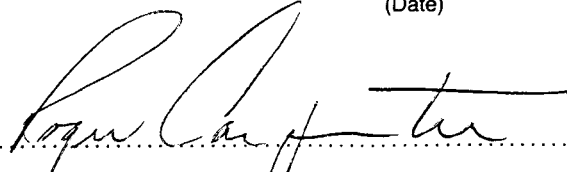
lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said Principal is herewith submitting its proposal

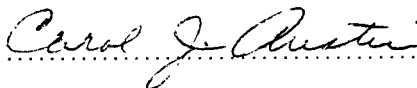
Water Contract #9218
S. R. 469 and Young Road

THE CONDITION OF THIS OBLIGATION is such that if the aforesaid Principal shall be awarded the contract the said Principal will, within the time required, enter into a formal contract and give a good and sufficient bond to secure the performance of the terms and conditions of the contract, then this obligation to be void; otherwise the Principal and Surety will pay unto the Obligee the difference in money between the amount of the bid of the said Principal and the amount for which the Obligee legally contracts with another party to perform the work if the latter amount be in excess of the former, but in no event shall liability hereunder exceed the penal sum hereof.

Signed, sealed and delivered... November 12, 1992...
(Date)



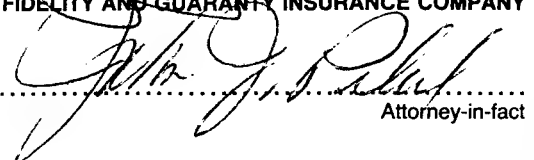
YASTE, ZENT & RYE AGENCY, INC.



DEHNER CONSTRUCTION, INC. (SEAL)

 (SEAL)

FIDELITY AND GUARANTY INSURANCE COMPANY


Attorney-in-fact

FGIC

CERTIFIED COPY

GENERAL POWER OF ATTORNEY

NO. FGIC 5839

No 037433



KNOW ALL MEN BY THESE PRESENTS:

That FIDELITY AND GUARANTY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Iowa, and having its principal office at 100 Light Street, Baltimore, Maryland 21202, does hereby constitute and appoint Gerald A. Dahle, John J. Pikel, Donald T. Belbutowski and Carol J. Austin

of the City of Fort Wayne, State of Indiana, each its true and lawful Attorney(s)-in-Fact, with power and authority to sign its name as surety to, and to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizance or other written obligations in the nature thereof; and the said FIDELITY AND GUARANTY INSURANCE COMPANY hereby ratifies and confirms all of the acts of said Attorneys-in-Fact, pursuant to these premises.

This appointment is made under and by authority of a by-law of the said FIDELITY AND GUARANTY INSURANCE COMPANY, a certified copy of which is hereto annexed and made a part of this Power of Attorney.

IN WITNESS WHEREOF, the said FIDELITY AND GUARANTY INSURANCE COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signature of its Assistant Vice President and Assistant Secretary, this 21st day of August, 19 92.



(Signed)

FIDELITY AND GUARANTY INSURANCE COMPANY

By

Assistant Vice President

(SEAL)

(Signed)

Assistant Secretary

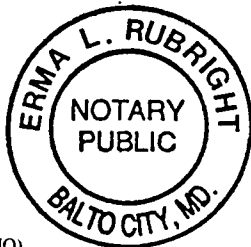
STATE OF MARYLAND)
BALTIMORE CITY)

ss:

On this 21st day of August, 19 92, before me personally came W.J.D. Somerville, Jr., Assistant Vice President of FIDELITY AND GUARANTY INSURANCE COMPANY and Judith C. Himpler, Assistant Secretary of said Corporation, with both of whom I am personally acquainted, who being by me severally sworn, said that they, the said W.J.D. Somerville, Jr. and Judith C. Himpler were respectively the Assistant Vice President and Assistant Secretary of the said FIDELITY AND GUARANTY INSURANCE COMPANY, the corporation described in and which executed the foregoing Power of Attorney; that they each knew the seal of said corporation; that the seal affixed to said Power of Attorney was such corporate seal; that it was so affixed by authority of the by-laws of said corporation; and that they signed their names hereto like authority as Assistant Vice President and Assistant Secretary, respectively, of the Corporation.

My Commission expires the first day of August, 1994.

(SEAL)



(Signed)

Erma L. Rubright
NOTARY PUBLIC

Copy of By-Law

"Article VI, Section 7 - Execution of Instruments.

The Chairman of the Board, the President, any Executive Vice President, any Vice President, including the Financial Vice President, or any Assistant Vice President, in conjunction with the Secretary or an Assistant Secretary, shall have power on behalf of the Company:

(a) to execute, acknowledge, verify and deliver all contracts, obligations, instruments and documents whatsoever in connection with its business, including, without limiting the foregoing, any and all bonds, guarantees, undertakings, recognizances, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Company."

I, Judith C. Himpler, Assistant Secretary of FIDELITY AND GUARANTY INSURANCE COMPANY, hereby certify that the foregoing is a full, true and correct copy of the original power of attorney given by said company to Gerald A. Dahle, John J. Pikel, Donald T. Belbutowski and Carol J. Austin of Fort Wayne, Indiana, authorizing and empowering them to sign bonds as therein set forth, which power of attorney has never been revoked and is still in full force and effect.

And I do further certify that said Power of Attorney was given in pursuance of a by-law of said Company, and that the foregoing is a true and correct copy of said by-law.

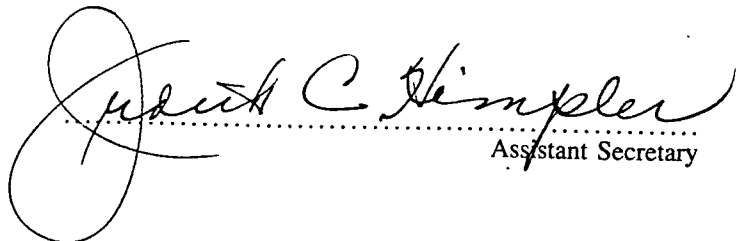
Facsimile, Typewritten or Mechanically Reproduced Signatures

RESOLVED, That the facsimile, typewritten or mechanically reproduced signature of any Officers and the seal of this Company, whether heretofore or hereafter, wherever appearing upon a certified copy of any Power of Attorney issued by this Company, shall be treated the same as handwritten signature and affixed seal, such certification may be by the facsimile signature of any Assistant Secretary of the Company.

This certified copy may be signed by facsimile, typewritten or mechanically reproduced signature under and by authority of the above resolution adopted by the Board of Directors of FIDELITY AND GUARANTY INSURANCE COMPANY at a meeting duly called and held on the 26th day of March, 1991, at which meeting a quorum of the Board of Directors was present, and that the foregoing is a true and correct copy of said resolution which continues in full force and effect.

In Testimony Whereof, I have hereunto set my hand and the seal of FIDELITY AND GUARANTY INSURANCE COMPANY this 12th day of November, 1992.




Assistant Secretary

STREET BARRICADE MAINTENANCE INFORMATION

Listed below are the names and telephone numbers of the persons responsible for the maintenance of the barricades necessary for the duration of this contract:

NAME

TELEPHONE NUMBER

Tom Purkiser

747-4270

Greg Dehner

747-2283

Three Rivers Barricade

436-1611

DEHNER CONSTRUCTION, INC.

CONTRACTOR

CONTRACT NUMBER 9218

BIDDER MUST CHECK EITHER "A", "B", OR "C" BELOW, TO DECLARE HIS/HER STATUS AS A E.B.E. OR NON-E.B.E. CONTRACTOR:

- Please specify percentage of the economically disadvantaged individual's ownership _____%.

- CONTRACTOR:**

By:

Handwritten signature

~~Gregor Behner~~

Its:

President

By:

Its:

bid page 10

Read the first time in full and on motion by Long, seconded by _____, and duly adopted, read the second time by _____ title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 11-21-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>		<u>1</u>	<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG			<u>✓</u>	
LUNSEY	<u>✓</u>			
RAVINE				<u>✓</u>
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 12-8-92.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ (ZONING) ORDINANCE ~~RESOLUTION~~ NO. S-205-92 on the 8th day of December, 1992

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of December, 1992, at the hour of 10:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of December, 1992, at the hour of 11:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 5053 for the installation of 260+/- LF of steel casing pipe for the Water Engineering Department.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Installation of 260+/- LF of 24" x 1/4" steel casing pipe under proposed I-469 at Young Road by open cut method.

IF REPLACEMENT, WHAT NECESSITATES:

EFFECT ON NON-PASSAGE: Cost to install casing pipe under I-469 for future expansion of water distribution system could triple in cost.

PRIOR APPROVAL REQUESTED: DATE:

MONIES INVOLVED: Dehner Construction \$21580.00

PRICE AGREEMENT: PURCHASE ORDER: YES

ACCOUNT INFORMATION: Water Engineering 513-523-W107-4431

O-92-11-11

BILL NO. S-92-11-11

REPORT OF THE COMMITTEE ON
CITY UTILITIES

DAVID C. LONG, CHAIR
SAMUEL J. TALRAICO, VICE CHAIR
LUNSEY, BRADBURY

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #5053 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and DEHNER CONSTRUCTION,
INC. for the Water Engineering Department

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Sam Talraico
Thomas P. Henry

David Long

DATED: 12-8-92.

Sandra E. Kennedy
City Clerk